2-13-04

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** ANSMITTAL Filing Date First Named Inventor **FORM** Art Unit **Examiner Name** (to be used for all correspondence after initial filing) Attorney Docket Number Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Drawing(s) 9 Replacement Fee Transmittal Form Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify **Terminal Disclaimer** Extension of Time Request below): 1. Return receipt postcard Request for Refund **Express Abandonment Request** 2. Express mail Cot. of Mailing CD, Number of CD(s)\_ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Printed name Date Reg. No. 30509 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# FEB 1 0 2006 Patent Application for:

## EXPRESS MAIL CERTIFICATE OF MAILING

Applicants: Donald	JablonowsKi	et	al.
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Atty. No: 6-11-3-2

Title: Optical Fiber for Improved Performance in S-, c- and L-Bands

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to:

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On 2/10/06

EXPRESS MAIL TRACKING NO. EQ 276496758 US

Type or Print name of person signing this certificate: Wendy W. Koba, Esq.

Signature: Wendy W.Kola

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO. 10/670,013

GROUP ART UNIT 2874

FILED September 24,2003

EXAMINER Juliana K. Kang

TITLE Optical Fiber for Improved Performance in the S-, C- and COMMISSIONER OF PATENTS L-Bands

P.O. Box 1450

Alexandria, VA 22313-1450

SIR

Enclosed is an amendment in the above-identified application:

Jablonowski 6-11-3-2

No additional fee is required, as shown below.

#### **CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS FOR FEE PURPOSES	9	MINUS	22	٥	X \$50	Ò
INDEPENDENT CLAIMS	2	MINUS	. 2	0	X \$200	
MULTIPLE DEPENDENT CLAIM(S) First presented with this amendment, if applicable					X\$360	
	TOTAL ADDIT	IONAL FE	EE FOR THIS AM	ENDMENT		

Please address all correspondence to Wendy W. Koba, P.O. Box 556, Springtown, PA 18081-0556.

Respectfully,

Reg. No. 30509

Attorney for Applicant(s)

610-346-7112

Date:  $\frac{2}{1006}$ 



### IN THE UNITED STATES ATENT AND TRADEMARK OFFICE

#### Patent Application

Inventor(s) Donald Jablonowski et al.

Case

6-11-3-2

Conf. No. 4521

Serial No.

10/670,013

Group Art Unit 2874

Filing Date

September 24, 2003

Examiner

Juliana K. Kang

Title

Optical Fiber for Improved Performance in S-, C- and L-Bands

COMMISSIONER OF PATENTS ALEXANDRIA, VA 22313-1450

SIR:

#### Remarks

Reconsideration of pending claims 1-4 and 18-22 is respectfully requested.

In the Office action dated November 15, 2005, the Examiner rejected all pending claims 1-4 and 18-22 under 35 USC § 102(e) as being anticipated by US Patent Application 2003/0174988 (Bickham et al.). Remaining claims 5-17 and 23-28 have been <u>cancelled</u> from this application as being drawn to a nonelected invention.

In response to the Examiner's rejection, applicants assert that Bickham et al. teaches away from their requirement of a "chromatic dispersion (D) greater than 1 ps/nm-km at 1375 nm", as defined in rejected independent claims 1 and 18. Bickham et al., with reference to paragraph [0015], requires a "negative" dispersion at this wavelength (or at most, "zero dispersion"). In contrast, applicants have realized that by utilizing a